

REFERENCE TITLE: justice courts; criminal actions; venue

State of Arizona
Senate
Forty-ninth Legislature
First Regular Session
2009

SB 1170

Introduced by
Senators Pearce, Gray C: Gorman

AN ACT

REPEALING SECTION 22-303, ARIZONA REVISED STATUTES; AMENDING TITLE 22, CHAPTER 3, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING A NEW SECTION 22-303; RELATING TO JUSTICE COURTS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Repeal

3 Section 22-303, Arizona Revised Statutes, is repealed.

4 Sec. 2. Title 22, chapter 3, article 1, Arizona Revised Statutes, is
5 amended by adding a new section 22-303, to read:

6 22-303. Change of venue

7 A. NO LATER THAN TWENTY DAYS BEFORE THE FIRST TRIAL DATE, IF A PARTY
8 TO AN ACTION BEFORE A JUSTICE OF THE PEACE MAKES AN AFFIDAVIT SUPPORTED BY
9 THE AFFIDAVIT OF TWO OTHER CREDIBLE PERSONS OF THE COUNTY THAT THEY HAVE GOOD
10 REASON TO BELIEVE, AND DO BELIEVE, THAT THE PARTY CANNOT HAVE A FAIR AND
11 IMPARTIAL TRIAL BEFORE THE JUSTICE, OR IN THE JUSTICE'S PRECINCT, THE JUSTICE
12 SHALL AT ONCE REQUEST THE JUSTICE OF THE PEACE OF SOME OTHER PRECINCT IN THE
13 COUNTY TO CONDUCT THE TRIAL IN THE PRECINCT WHERE THE ACTION IS PENDING, AND
14 HEAR ALL MATTERS INVOLVED IN THE ACTION, OR TRANSFER THE ACTION TO THE
15 NEAREST JUSTICE OF THE PEACE IN THE COUNTY NOT SUBJECT TO THE SAME OR SOME
16 OTHER DISQUALIFICATION. ONLY ONE SUCH CHANGE OF VENUE MAY BE HAD.

17 B. THE VENUE MAY ALSO BE CHANGED TO ANOTHER JUSTICE OF THE PEACE OF
18 THE COUNTY ON WRITTEN CONSENT OF THE PARTIES FILED IN THE ACTION.